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**PATENT** ATTORNEY DOCKET NO.: 040894-7145

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
Atsushi KURABAYASHI	) Confirmation No.: 6812
Application No.: 10/519,192	) Group Art Unit: 3721
Filed: December 22, 2004	) Examiner: Unassigned
For: MOVING MECHANISM FOR MOTOR- DRIVEN STAPLERS	) )

## **Customer Window**

Randolph Building 401 Dulany Street Alexandria, VA 22314

Sir:

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicant does not believe that a fee is due for filing this paper.

The listed documents were cited in an EP Communication dated August 18, 2005 in a counterpart EP patent application. A copy of the EP Communication is enclosed. Copies of the listed documents are attached.

Applicant requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449. JP 02-219601 and USPN 5,160,089 were submitted in a previous IDS and therefore are not listed herein. Copies of the listed documents are attached.

This submission does not represent that a search has been made or that no better art exists

and does not constitute an admission that any of the listed documents is material or constitutes

"Prior Art." If it should be determined that the listed documents do not constitute "Prior Art"

under United States law, Applicant reserves the right to present to the Office the relevant facts

and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability

of the disclosed invention over any of the listed documents, should any of the documents be

applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby

authorized by this paper to charge any additional fees during the entire pendency of this

application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit Account 50-

0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF

TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Robert J. Goodell Reg. No. 41,040

Dated: September 29, 2005

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INFORMATION DISCESSION CITATION				Attorney Docket No.: 040894-7145				Application No.: 10/519,192		
(Use several sheets if necessary)				Applicant: Atsushi KURABAYASHI PAGE 1 of 1						
PTO Form 1449				Filing Date: December 22, 2004				Group Art Unit: 3721		
U.S. PATENT DOCUMENTS										
*Exan			Document Number	Date	Name		Class	Sub Class		
		A1	5,799,935	Sep. 1, 1998	3	amanushi et al.				
		A2	2001/011667	Aug. 9, 2001	Sato et al.					
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)										
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Examiner				Date Considered						
Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.										